



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGIONS 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF: C-14J

AUG 18 2006

Douglas P. Scott, Director
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

RE: United States v. A. Finkl & Sons Co.
No. 06 C 4297 (N.D. Ill.)

Dear Mr. Scott :

We have been informed by the U.S. Attorney's Office for the Northern District of Illinois that the above-captioned action was filed on August 16, 2006 in the United States District Court for the Northern District of Illinois on behalf of the Administrator of the United States Environmental Protection Agency (U.S. EPA). This letter serves as notice pursuant to Section 113(b) of the Clean Air Act (Act), 42 U.S.C. § 7413(b). A consent decree resolving the violations alleged in the complaint was lodged on August 18, 2006.

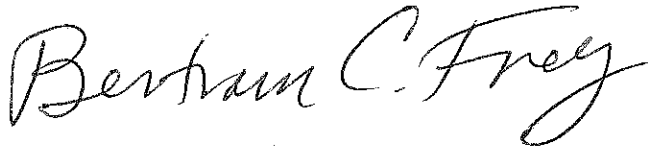
This case is a civil action seeking monetary penalties and injunctive relief. The action arises from violations of the Act at the steel manufacturing and forging plant owned and operated by A. Finkl & Sons Co. (A. Finkl) in Chicago, Illinois. The complaint alleges violations of the New Source Performance Standards (NSPS) for Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed after August 17, 1983 at Subpart AAa of 40 C.F.R. Part 60, §§ 60.270a-276a, the Title V permit requirements in Sections 503(c) and 504(a) of the Act, 42 U.S.C. §§ 7661b(c) and 7661c(a), and the permitting requirements in Illinois Pollution Control Board Rule 103(b)(1) (recodified at 35 IAC § 201.143) which was approved by U.S. EPA as part of the Illinois State Implementation Plan.

The consent decree requires A. Finkl to pay a civil penalty of \$75,000, to fulfill certain compliance requirements and to perform two Supplemental Environmental Projects (SEPs). The compliance requirements in the consent decree obligate A. Finkl to comply with all applicable requirements of the NSPS for electric arc furnaces at Subpart AAa of 40 C.F.R. Part 60, including emission standards, monitoring requirements, operational and equipment standards, maintenance requirements, and recordkeeping and reporting requirements. The consent decree also requires A. Finkl to conduct performance tests to demonstrate compliance with the emission limitations in the NSPS. In addition, A. Finkl will submit an application for an amendment to its

Title V permit to Illinois EPA which includes compliance with the emission limitations and other requirements of the NSPS. The consent decree also requires A. Finkl to spend \$620,000 to perform the following two SEPs: 1) A. Finkl will install low NO_x burners on one of its gas fired furnaces resulting in an estimated reduction in NO_x emissions of five tons per year at a cost of at least \$545,000; and 2) A. Finkl will enter into a contract for \$75,000 with the City of Chicago to retrofit 34 vehicles owned by the City with diesel oxidation catalysts.

Should you have any questions concerning this matter, please contact Christine Liszewski of my staff at (312) 886-4670.

Sincerely yours,

A handwritten signature in cursive script that reads "Bertram C. Frey". The signature is written in dark ink and is positioned above the typed name.

Bertram C. Frey
Acting Regional Counsel

cc: Patrick Fitzgerald
United States Attorney
Northern District of Illinois